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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application Number: 09/917,377
Filing Date: July 28, 2001
Appellant(s): ALLISON ET AL.

MAILED

OCT 11 2007

Technology Center 2100

Kyle Way
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed July 5, 2007 appealing from the Office action mailed January 12, 2007.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6,598,179 B1	CHIRASHNYA et al.	07-2003
6,269,398 B1	LEONG et al.	07-2001
6,754,704 B1	PROROCK	06-2004

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 1-4, 6-7, 9, 16** are rejected under 35 U.S.C. 102(e) as being anticipated by Chirashnya et al. (US 6,598,179 B1), hereinafter "Chirashnya".

As per claim 1, Chirashnya teaches a method for processing events from electronic architecture, the architecture having a plurality of entities generating the events comprising the steps of:

- "extracting the events from the architecture" at Col. 2 lines 50-57;
- "separating the events according to the entities" at Col. 5 lines 20-30;
- "transforming the events to one or more text strings" at Col. 6 lines 25-35;
- "analyzing the one or more text strings to produce a human interpretable statement summarizing at least one of the events associated with the one or more text strings" at Col. 12 lines 5-20.

As per claim 2, Chirashnya teaches the method of claim 1, further comprising the step of filtering the events to process only events from identified entities" at Col. 5 lines 25-30

As per claim 3, Chirashnya teaches the method of claim 1, wherein "the step of extracting the events comprises extracting chassis logs" at col. 2 lines 6-15, wherein "the step of separating the events comprises separating the chassis logs" at Col. 5 lines 5-20, wherein "the step of transforming events comprises transforming the chassis logs to text strings" at Col. 6 lines 25-35, and wherein "the chassis log include chassis codes formed of two numbers" at Col. 8 lines 5-30.

As per claim 4, Chirashnya teaches the method of claim 1, further comprising the step of "coupling a getcc extraction tool to the architecture" at Col. 2 lines 6-13.

As per claim 6, Chirashnya teaches the method of claim 1, "the architecture being a server, and wherein the step of extracting events from the architecture comprises extracting events from the server" at Col. 4 lines 45-63.

As per claim 7, Chirashnya teaches the method of claim 1, wherein "the step of transforming comprises converting a binary representation of the events to the text strings" at Col. 12 lines 5-20.

As per claim 9, Chirashnya teaches the method of claim 1, wherein "the entities comprises one or more of firmware, software, processors, architecture monitors, power monitors, cabinet monitors, and I/O drivers" at Col. 1 lines 26-42.

As per claim 16, Chirashnya teaches the method of claim 1, further comprising: "the step of saving a log file representative of the events" at Col. 1 lines 25-30.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. **Claims 5, 10-15** are rejected under 35 U.S.C. 103(a) as being unpatentable over Chirashnya as applied to claims 1-9 and 16-20 above, and in view of Leong et al. (US 6,269,398 B1), hereinafter "**Leong**".

As per claim 5, Chirashnya teaches the method of claim 4 discussed above. Chirashnya does not explicitly teach "the step of coupling comprises utilizing telnet" as claimed. However, Telnet is a well-known protocol for remote accessing, which is used for requesting diagnostic information from a remote system, as exemplary by Leong at Col. 2, lines 28-40. Leong teaches: "the telnet protocol provides a terminal emulation capability allowing a network manager to issue command (such as command requesting diagnostic information) from other device in the network". Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine Leong and Chirashnya's teachings so that the diagnostic information could be retrieved not only form a local machine but also from a remote machine. Utilizing telnet to access diagnostic information as suggest by Leong would allow Chirashnya's system to diagnose and provide technical support to remote users.

As per claim 10, Chirashnya teaches the method of claim 1 as discussed above. Chirashnya does not explicitly teach the step of "controlling one or more steps of extracting, separating, and transforming via one or more command line options". However, using command line options from Telnet program is a well-known method for requesting diagnostic information from a remote system, as exemplary by Leong at Col. 2, lines 28-40. Leong teaches: "the telnet protocol provides a terminal emulation capability allowing a network manager to issue command (such as command requesting diagnostic information) from other device in the network". Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine Leong and Chirashnya's teachings so that the diagnostic information could be retrieved not only form a local machine but also from a remote machine. Utilizing telnet to access diagnostic information as suggest by Leong would allow Chirashnya's system to diagnose and provide technical support to remote users.

As per claim 11, Chirashnya and Leong teach the method of claim 10 discussed above. Leong further teaches "controlling one or more steps of extracting, separating, and transforming according to one or more configuration files" at Col. 14 lines 10-40.

As per claim 12, Chirashnya and Leong teach the method of claim 10 discussed above. Leong further teaches the step of "controlling comprises inputting the command line options via a graphic user interface" at Col. 4 lines 15-20.

As per claim 13, Chirashnya and Leong teach the method of claim 10 discussed above. Leong further teaches the step of "controlling comprise updating the command line options automatically from the architecture" at Col. 13 line 65 to Col. 14 line 5.

As per claim 14, Chirashnya teaches the method of claim 1 discussed above. Chirashnya teaches the step of "specifying one ore more cell of the architecture, and extracting the events only from the one or more cells" at Col. 5 lines 25-30, but does not teach: "specifying, as command line option" as claimed. However, using command line options from Telnet program is a well-known method for requesting diagnostic information from a remote system, as exemplary by Leong at Col. 2, lines 28-40. Leong teaches: "the telnet protocol provides a terminal emulation capability allowing a network manager to issue command (such as command requesting diagnostic information) from other device in the network". Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine Leong and Chirashnya's teachings so that the diagnostic information could be retrieved not only form a local machine but also from a remote machine. Utilizing telnet to access diagnostic information as suggest by Leong would allow Chirashnya's system to diagnose and provide technical support to remote users.

As per claim 15, Chirashnya teaches the method of claim 1 discussed above. Chirashnya teaches the step of "specifying one or more processors of the architecture, and extracting the events only from the one or more processors" at Col. 5 lines 25-30;

but does not teach: "specifying, as command line options" as claimed. However, using command line options from Telnet program is a well-known method for requesting diagnostic information from a remote system, as exemplary by Leong at Col. 2, lines 28-40. Leong teaches: "the telnet protocol provides a terminal emulation capability allowing a network manager to issue command (such as command requesting diagnostic information) from other device in the network". Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine Leong and Chirashnya's teachings so that the diagnostic information could be retrieved not only form a local machine but also from a remote machine. Utilizing telnet to access diagnostic information as suggest by Leong would allow Chirashnya's system to diagnose and provide technical support to remote users.

5. **Claims 17-20** are rejected under 35 U.S.C. 103(a) as being unpatentable over Chirashnya and in view of Prorock (US 6,754,704 B1), hereinafter "Prorock".

As per claim 17, Chirashnya teaches the method of claim 1 discussed above. Chirashnya does not explicitly teach the step of "transmitting the text strings to a plurality of analyzers, wherein each of the plurality of analyzers is associated with one or more of the entities" as claimed.

Prorock teaches a similar method for processing event (See Abstract) including the step of "transmitting the text strings to a plurality of analyzers, wherein each of the plurality of analyzers is associated with one or more of the entities" at Col. 1 lines 40-62.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine Chirashnya and Prorock's teachings so that "the data processing system event may, therefore, be monitored from a remote location without the need to log in to the data processing system to manually extract the event data", and "as a result, a remote program module need not expend processing resources polling the data processing system to determine if any events have occurred and remote personnel need not log in to the data processing system to check for events" as suggested by Prorock at Col. 1 lines 40-62.

As per claim 18, Chirashnya teaches a system for processing events from electronic architecture, the architecture having a plurality of entities generating the events, the system comprising:

- "a computer including an extraction tool for extracting the events from the architecture, separating the events according to the entities, and transforming the events to one or more text strings" at Col. 2 lines 6-60, Col. 5 lines 20-30 and Col. 6 lines 25-35;
- "an interface for coupling the extraction tool to one or more of the architecture and a log file storing the events from the architecture" at Col. 4 lines 45-65;
- "wherein each of the analyzer is configured to analyzed the one or more text strings received from the extraction tool to produce a human interpretable statement summarizing at least one of the events associated with the one or more text strings" at Col. 11 line 57 to Col. 12 line 20;

The different between Chirashnya's sytem and the instant claimed invention is that Chirashnya does not explicitly teach "a plurality of analyzers" nor "the extract tool is configured to transmit each of the one or more text strings to one of the plurality of analyzers".

However, Prorock teaches a similar system for processing event (See Abstract) including wherein "the extract tool is configured to transmit each of the one or more text strings to a plurality of analyzers" at Col. 1 lines 40-62. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine Chirashnya and Prorock's teachings so that "the data processing system event may, therefore, be monitored from a remote location without the need to log in to the data processing system to manually extract the event data", and "as a result, a remote program module need not expend processing resources polling the data processing system to determine if any events have occurred and remote personnel need not log in to the data processing system to check for events" as suggested by Prorock at Col. 1 lines 40-62.

As per claim 19, Chirashnya and Prorock teach the system of claim 18 discussed above. Chirashnya also teaches; "wherein the entities comprises one or more of firmware, software, processor, architecture monitors, cabinet monitors, and I/O drivers, and wherein the events comprise chassis logs form one ore more of the firmware, software, processor, architecture monitors, cabinet monitors, and I/O drivers" at Col. 1 lines 25-46.

As per claim 20, Chirashnya and Prorock teach a system of claim 18 discussed above. Prorock also teaches: "wherein each of the plurality of analyzers is associated with one or more of the entities" at Col. 1 lines 40-62 and Fig. 9.

(10) Response to Argument

a. Claims 1-7 and 9-20

Regarding independent claims 1 and 18, appellant argued that "Chirashnya does not teach or suggest ***text string*** being analyzed to provide a human interpretable statement, as provided for in claims 1 and 18". On the contrary Chirashnya teaches at Col. 12 lines 5-20 (reproduced below) the step of analyzing "Result Number" to provide a human interpretable statement. For example, the "Result Number" R1 is analyzed using table IV for corresponding Message Number 10, the catalog file is then consulted to provide a human interpretable statement "The communication Adapter is damaged and needs to be replaced".

TABLE IV

RESULTS TABLE

Result Number	Message Number (in catalog file)	Report FRU?
Examples:		
R1	10	1
R2	11	0

CATALOG FILE EXAMPLES

10 "The Communication Adapter is damaged and needs to be replaced."

11 "The /var file system is full, cannot write error log file."

Appellant argued that the "Result Number" **R1**, **R2** in the previous example are **integers**, not text strings. The examiner disagrees, simply because R1, R2, by definition, are text strings. Webster's Dictionary of Computer terms defines "text" as "Data composed only of standard ASCII characters, without any formatting codes". Appellant admitted that letter "R" is text-format value according to ASCII standard (Appeal Brief, page 8), then R1 must also be text string.

Applicant further pointed out other examples, where Chirashnya teaches that "Result Number" are "1", "3", "5", and then concluded that the "Result Number" must always be an integer. The examiner respectfully disagrees. The characters "1", "3", "5" are not necessary integers, because they can be text string as well. Characters 0-9 are represented in the well-known ASCII table (See Below) by Decimal values 48-57, which indicates that characters 0-9 are text string. ↓

Ctrl	Dec	Hex	Char	Code	Dec	Hex	Char	Dec	Hex	Char	Dec	Hex	Char
^@	0	00		NUL	32	20	sp	64	40	@	96	60	`
^A	1	01	☺	SOH	33	21	!	65	41	A	97	61	a
^B	2	02	☻	STX	34	22	"	66	42	B	98	62	b
^C	3	03	♥	ETX	35	23	#	67	43	C	99	63	c
^D	4	04	♦	EOT	36	24	$	68	44	D	100	64	d
^E	5	05	♣	ENQ	37	25	%	69	45	E	101	65	e
^F	6	06	♠	ACK	38	26	&	70	46	F	102	66	f
^G	7	07	•	BEL	39	27	'	71	47	G	103	67	g
^H	8	08	◘	BS	40	28	(	72	48	H	104	68	h
^I	9	09	○	HT	41	29	)	73	49	I	105	69	i
^J	10	0A	◙	LF	42	2A	*	74	4A	J	106	6A	j
^K	11	0B	♂	VT	43	2B	+	75	4B	K	107	6B	k
^L	12	0C	♀	FF	44	2C	,	76	4C	L	108	6C	l
^M	13	0D	♪	CR	45	2D	-	77	4D	M	109	6D	m
^N	14	0E	♫	SO	46	2E	.	78	4E	N	110	6E	n
^O	15	0F	☼	SI	47	2F	/	79	4F	O	111	6F	o
^P	16	10	►	DLE	48	30	0	80	50	P	112	70	p
^Q	17	11	◄	DC1	49	31	1	81	51	Q	113	71	q
^R	18	12	↕	DC2	50	32	2	82	52	R	114	72	r
^S	19	13	‼	DC3	51	33	3	83	53	S	115	73	s
^T	20	14	¶	DC4	52	34	4	84	54	T	116	74	t
^U	21	15	§	NAK	53	35	5	85	55	U	117	75	u
^V	22	16	▬	SYN	54	36	6	86	56	V	118	76	v
^W	23	17	↨	ETB	55	37	7	87	57	W	119	77	w
^X	24	18	↑	CAN	56	38	8	88	58	X	120	78	x
^Y	25	19	↓	EM	57	39	9	89	59	Y	121	79	y
^Z	26	1A	→	SUB	58	3A	:	90	5A	Z	122	7A	z
^[	27	1B	←	ESC	59	3B	;	91	5B	[	123	7B	{
^\	28	1C	∟	FS	60	3C	<	92	5C	\	124	7C	|
^]	29	1D	↔	GS	61	3D	=	93	5D	]	125	7D	}
^^	30	1E	▲	RS	62	3E	>	94	5E	^	126	7E	~
^_	31	1F	▼	US	63	3F	?	95	5F	_	127	7F	⌂

In view of the foregoing argument, the examiner submits that Chirashnya teaches the claimed limitation "analyzing one or more text string to produced a human interpretable statement" at Col. 12 lines 5-20.

b. Dependent claim 13.

Regarding claim 13, appellant argued that Leong does not teach or suggest "updating command line options automatically from an electronic architecture", the Examiner respectfully disagrees.

In the summary of claim subject matter section (Appeal brief, page 3), appellant relied on paragraph [0020] for supporting the limitation of claim 13, which recites : "The configuration file of Table 1 may be used to specify command line options and other information or actions that are not easily input in the command line". Therefore, "updating command line options automatically" means that command line options are inputted automatically from the configuration file, without requiring user to enter each option to the command line, wherein the commands are Telnet commands. Similarly, Leong describes at Col. 13 line 65 to Col.14 line 5 an embodiment which provides for the ability of the network administrator to create and **automate execution of complex Telnet commands** by assigning Telnet commands to buttons in the menu: "The Telnet Commands may then be added as buttons in the various pop-up menus in the router network management system". Selecting a button will automatically updating command line options with new Telnet command. (See Col. 14 lines 40-50)

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Khanh B. Pham

Primary Examiner

Conferees:

Hosain Alam

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